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PART I

IMPORTANT GOVERNMENT ORDERS

CHIEF SECRETARIAT

Administration of Criminal Justice in Mysore, for the year 1931-32.

READ—

Report on the Administration of Criminal Justice in Mysore for the year 1931-32, received from the Registrar, High Court, with his letter No. P. 39—31-32, dated 22nd October 1932.

ORDER No., P. 4037-45—CTS. 105-32-3, DATED BANGALORE, THE 19TH—23RD JANUARY 1933.

Recorded.

2. The number of Courts that exercised original jurisdiction at the end of the year was 77 excluding the *Ex-officio* Magistrates, consisting of four Sessions Judges including the Additional Sessions Judge, Bangalore, four Assistant Sessions Judges, eight District Magistrates, 22 First Class Magistrates, 10 Second Class Magistrates and 29 Bench Courts. The Special Magistrate's Court at Tarikere was temporarily abolished during the year as a measure of retrenchment. Six Bench Courts were also abolished during the year.

Offences Reported.—The total number of offences reported showed an increase of 2,500 from 21,216 to 23,716 and there was a corresponding increase in the number of cases returned as true, namely 22,694 against 19,771. Including 11,055 persons pending trial at the close of the previous year, the number of persons brought to trial was 43,159 as against 42,783 in the previous year. Of these the cases against 32,025 persons were disposed of, the percentage of disposal being the same as in the year 1930-31, though the number brought to trial was greater. The number of persons convicted was 11,777 and of those acquitted or discharged 19,235, the respective per-

centages being 36·7 and 60·06 as against 31·0 and 65·3 in the previous year. At the close of the year the cases against 11,125 persons were left pending in the Magistrates' Courts as against 11,027 at the end of the previous year. Sentence of death was passed against only one person and was confirmed by the High Court. The percentage of number of persons awarded short terms of imprisonment, *i.e.*, of 15 days and under rose this year also from 26 to 31·4. The provisions of Section 562, Criminal Procedure Code, continue to be used to an appreciable extent, the number dealt with thereunder being 304 against 400 in 1930-31. Of those so dealt with 77 were juvenile offenders.

Bench Courts.—The Bench Courts disposed of 7,529 cases out of 9,052 or 83·1 per cent of the number for disposal as against 81 per cent in the previous year. There was an increase in the average duration from 42·7 to 54·4 days. A beginning has been made in the matter of appointing ladies as Honorary Magistrates and two ladies have been appointed as such in each of the Cities of Bangalore and Mysore and recently a lady has been appointed as a Bench Magistrate for the Hassan Bench Court.

Work of Special Magistrates.—Out of 14,045 cases for disposal 11,221 cases were disposed of, the percentage of disposals being 79·8 as against 80 in the previous year. The average duration of cases rose from 66·86 to 70·10 days. The rise is attributed partly to *de novo* trials in consequence of the abolition of Bench Courts and change of Magistrates. The average duration requires to be reduced and it is expected that every effort will be made towards the realisation of the hope expressed in the last year's review.

District Magistrates' Courts.—The District Magistrates disposed of 30 out of 34 regular cases.

Witnesses.—Out of 58,857 witnesses who appeared before Magistrates' Courts 43,852 or 74·5 per cent against 78 per cent in the previous year were examined. No witness was detained for more than three days in any of the Courts.

Itineration of Magistrates.—The scheme of itineration is reported to be working satisfactorily and growing in popularity. It had, however, to be suspended in the District of Chitaldrug and partly in the District of Shimoga as a measure of economy. The extra expenditure involved in the scheme in the shape of Travelling Allowance and other charges will, it is believed, be counter-balanced by the saving of time and money to the public and the Police Department.

Combination of Civil, Judicial and Magisterial Functions.—The system of combination of civil, judicial and magisterial functions in the same officer is being worked at Hole-Narsipur, Narasimharajapura and Dodballapur and in the Court of the Second Munsiff, Mysore. This system has been introduced recently into Hunsur also where the Special Magistrate's Court has been abolished.

The First Class Magistrates of Kolar and Chitaldrug and recently of Hassan have been given Civil appellate work. This arrangement is reported to have worked well. The Second Class Magistrate at Shimoga has been invested with the powers of a Munsiff in respect of Small Cause Suits to try transferred suits.

Sessions Work.—Including 12 cases involving 25 persons pending from the previous year there were for disposal 88 cases involving 178 persons. Of these 80 cases involving 169 persons were disposed of, leaving eight cases involving nine persons pending at the end of the year. The average duration of Sessions cases was 36·9 days showing an improvement over that of the previous year which was 52·6 days. One thousand four hundred and forty three witnesses were examined during the year and 231 witnesses were detained for over three days. Seven cases as against 18 in the previous year were tried by jury and in all of them the verdict of the jury was approved of by the Judges.

Appellate Work.—Out of the appeals of 1,063 persons, those of 920 persons were disposed of, leaving 94 appeals of 143 persons at the end of the year, as against 171 appeals of 315 persons at the end of the previous year. The average duration of appeals disposed of fell from 108·8 days to 94·3 days in the Sessions Courts. In respect of Magistrates' Courts there was a slight increase from 38·3 to 41·2 days.

High Court.—Including 24 appeals pending from the previous year there were for disposal 79 appeals as against 89 in 1930-31. Of these 45 were disposed of leaving 34 pending at the end of the year. In 13 appeals or 28 per cent the decisions of

lower courts were interfered with. The increased pendency at the end of the year over that of the previous year is explained by the facts that 24 of the pending appeals were filed from the middle of March to the end of June 1932, that time was taken in obtaining the records in some of the cases from the lower courts and that the intervention of the summer vacation also led to delay in the disposal of the appeals. It is, however, satisfactory to note that many of these cases have since been disposed of and the number pending on 1st October 1932 was only 13, including those pending out of the appeals filed since 1st July 1932. The average duration of the appeals disposed of rose from 149·2 to 155·57 days.

Inspections.—Nine courts were inspected by the Judges of the High Court and the District Magistrates inspected all the Magistrates Courts exercising original jurisdiction in their districts.

General.—Circular instructions were issued by the High Court in regard to the relative powers and functions of the Magistracy and the Police in ordering investigations under the Code of Criminal Procedure.

Government are glad to note that the Administration of Criminal Justice during the year was satisfactory.

N. MADHAVA RAO,
Chief Secretary to Government.

DEVELOPMENT SECRETARIAT

Commission to Mr. N. Venkatachalaiya.

READ—

Letter No. C. 1013—32-33, dated 11th January 1933, from the Revenue Commissioner, recommending sanction to the grant of powers under clause (*b*), (*d*), (*e*) and (*f*) of Section 99, Land Revenue Code, to Mr. N. Venkatachalaiya, Jodidar of Ittasandra and Geddalahallipura villages, Hoskote Taluk, in respect of both the villages.

ORDER No. R. 3726-27—L. R. 260-32-2, DATED BANGALORE, THE 23RD—24TH JANUARY 1933.

Government are pleased to sanction the recommendation of the Revenue Commissioner and to issue the accompanying Commission to the Inamdar.

S. ABDUL WAJID,
Secretary to Government,
Development Department.

ANNEXURE.

COMMISSION GRANTED UNDER SECTION 99 OF THE LAND REVENUE CODE, REGULATION IV OF 1888.

To

MR. N. VENKATACHALAIYA,
Jodidar.

By virtue of the powers vested in them by the Land Revenue Code, the Government of His Highness the Maharaja of Mysore are pleased to confer on you, Mr. N. Venkatachalaiya, Jodidar, the following powers specified in clauses (*b*), (*d*), (*e*) and (*f*) of Section 99 of the Mysore Land Revenue Code, to be exercised within the limits of the Inam Villages of Ittasandra and Geddalahallipura in the Hoskote Taluk:—

(*b*) To attach the property of persons making default in the payment of Land Revenue or rent due to you in the said villages.

(*d*) To exercise the powers of a Deputy Commissioner under Sections 63 and 64.

(*e*) To receive notices of relinquishment under Section 71 and to determine the date up to which such notices shall be received as in that Section provided, and

(*f*) To take measures for the maintenance and repair of boundary marks in the manner provided for Survey Officers in Section 130.

II. The above mentioned powers delegated to you are vested in you during the pleasure of and subject to recall, by the Government of His Highness the Maharaja of Mysore.

By Order,
S. ABDUL WAJID,
Secretary to Government,
Development Department.